

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9386 OF 2016

SURESH RAMVILAS MAHESHWARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.R.Barlinge, Advocate for the petitioner
Mr.Manish N. Navandar, Advocate for respondent No.4
Mr.S.K.Tambe, AGP for the respondent/State

**CORAM : S.V. GANGAPURWALA &
S.M.GAVHANE, JJ.**

DATED : 28.09.2018

P.C. :-

. Mr. Barlinge, learned counsel for the petitioner submits that the petitioner is Professor in Hindi having passed M.A. and possessing M.A. Ph.D. qualifications. The several lecturers and Professors were given the benefit of extended age of retirement as per the Government Resolution dated 25.02.2011 & 05.03.2011. However, subsequently the Government Resolution dated 12.07.2016 is issued on the ground that qualified staff is available and as such there is no need to extend the age of retirement of the Professors. According to the learned counsel the said Government Resolution is unreasonable and is contrary to the policy framed by

the University Grants Commission. According to the learned counsel decision was taken in 2011 that there was dearth of qualified teacher the said dearth still continues. Several colleges are not getting the qualified staff.

2. Learned AGP submits that the Government Resolution assailed by the petitioner was subject matter of consideration before this Court in writ petition No.7831/2016 and 8589/2016 this Court under judgment dated 06.06.2017 has upheld the validity of the Government Resolution dated 12.07.2016.

3. We have considered the submissions. All the contentions raised by Mr. Barlinge, learned counsel have been considered by this Court to which one of us S.V.Gangapurwala, J. was party in writ petition No.7831/2016 decided under the judgment and order dated 06.06.2017.

4. We find no reason to take a different view. In view of that for the reasons recorded in the judgment dated 06.06.2017 in writ petition No.7831/2016 & 8589/2016 the writ petition stands disposed of.

5. Mr. Barlinge, learned counsel for the petitioner submits that though no interim relief was granted, the respondent No.4 had continued the petitioner as he was the most qualified. He is entitled for emolument from the the respondent No.4. The petitioner may stake his claim as against respondent No.4 which may be considered by respondent No.4 on its own merits.

6. The writ petition stands disposed of. No costs.

[S.M.GAVHANE, J.]

[S.V. GANGAPURWALA, J.]